

Attorney Docket: 27622U

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U.S. Department Of Commerce, Patent And Trademark Office		Date: 01 September 2006 (01:09:2006)
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No.: (If known): 07/591768 (If known): Not yet assigned
International Application No.: PCT/EP2005/051052	International Filing Date: 9 March 2005 (09.03.2005)	Priority Date Claimed: 10 March 2004 (10.03.2004) EP 1 February 2005 (01.02.2005) EP
Title of Invention: NOVEL THIO-CONTAINING HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS		
Applicants for DO/EO/US: KAUTZ, Ulrich		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.  2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.  3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.  4. <input checked="" type="checkbox"/> The US has been elected (Article 31).  5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):  a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).  b. <input type="checkbox"/> has been communicated by the International Bureau.  c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)  6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).  7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))  a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).  b. <input type="checkbox"/> have been communicated by the International Bureau.  c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.  d. <input checked="" type="checkbox"/> have not been made and will not be made.  8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).  9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.  12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.  14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment  15. <input type="checkbox"/> A substitute specification.  16. <input type="checkbox"/> A change of power of attorney and/or address letter.  17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825  18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)  19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)  20. <input checked="" type="checkbox"/> Other items or information:  TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/087744 A1, WITH FORM PCT/ISA/210 (INTERNATIONAL SEARCH REPORT), INTERNATIONAL PUBLICATION DATE: 22 SEPTEMBER 2005 (22.09.2005), WHICH CONSISTS OF 71 PAGES: 2 PAGES FOR THE COVER SHEET, 59 PAGES OF TEXTUAL SPECIFICATION, 10 PAGES OF 16 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A, B AND C TO BE EXAMINED; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

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U.S. Application Number: (if known): No. Yes Assigned <b>10/591768</b>	International Application Number: PCT/EP2005/051052	Date: 01 September 2006 (01:09:2006)
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<p>The following fees are submitted:</p> <p>21. Basic National Fee (37 CFR 1.492(a)) ..... \$ 300.00</p> <p>22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 All other situations ..... \$ 200.00</p> <p>23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$ 400.00 All other situations ..... \$ 500.00</p> <p>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p> <p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p>		CALCULATIONS	PTO USE ONLY
		\$ 300.00	
		\$ 200.00	
		\$ 400.00	
		\$ 900.00	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE	
TOTAL	14-20=	0	X \$ 50.00	\$ 0.00
INDEPENDENT	1-3=	0	X \$ 200.00	\$ 0.00
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00
SUBTOTAL =				\$ 900.00
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00
TOTAL NATIONAL FEE =				\$ 900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00
TOTAL FEES ENCLOSED =				\$ 900.00
				Amount to be: refunded charged

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U.S. Application Number(s) (if known: Not Yet Assigned) <b>10/591768</b>	International Application Number: PCT/EP2005/051052	Date: 01 September 2006 (01:09:2006)
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- a.  One check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card  WARNING: Information on this form may become public  Credit Card Information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

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10/591768  
101 SEP 2006  
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Attorney Docket: 27622U  
Date: September 1, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ

Serial No.: Not Yet Assigned

Filed: September 1, 2006

International Appl. No.: PCT/EP2005/051052

International Filing Date: 9 March 2005 (09.03.2005)

Title: NOVEL THIO-CONTAINING HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/087744 A1, with Form PCT/ISA/210(International Search Report), International Publication Date: 22 September 2005 (22.09.2005), which consists of 71 pages:
  - 2 pages for the Cover Sheet,
  - 59 pages of Textual Specification,
  - 10 pages of 16 Claims,
  - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A,B and C to be Examined;
- 5) Unexecuted Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308(Second and Supplementary Notice);
- 10) PCT /R0/101( PCT Request);
- 11) Check No.: 2759 in the Amount of \$ 900.00 for Basic Filing Fee, which includes Search and Examination Fees as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

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